

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

MICHELLE WHEATON,  
(Montgomery County Detention  
Center #103964)

Plaintiff,

vs.

ARAMARK,

Defendant.

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CIVIL ACTION H-06-1648

**MEMORANDUM ON DISMISSAL**

The plaintiff, a former inmate at the Montgomery County Detention Center, filed this civil rights action *in forma pauperis*. On November 3, 2006, the court's Order for More Definite Statement was returned to the court by the postal service with the notation that the plaintiff was no longer at the Montgomery County Detention Center and that no forwarding address was available.

Under Local Rule 83.4, a *pro se* litigant is responsible for keeping the Clerk advised in writing of his current address. The court will send notices only to the address on file. The plaintiff has failed to provide the court with an accurate, current address. Under the inherent powers necessarily vested in a court to manage its own affairs, this court determines that dismissal for want of prosecution is appropriate. *See*

FED. R. CIV. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995); 8 J. Moore, *Federal Practice* § 41.51(3)(b) & (e) (3d ed. 2002). Upon a proper showing, relief from this order may be granted in accordance with FED. R. CIV. P. 60(b). *See Link*, 370 U.S. at 635.

This action is DISMISSED without prejudice for want of prosecution.

SIGNED on November 13, 2006, at Houston, Texas.

A handwritten signature in black ink, appearing to read "Lee H. Rosenthal", written over a horizontal line.

Lee H. Rosenthal  
United States District Judge